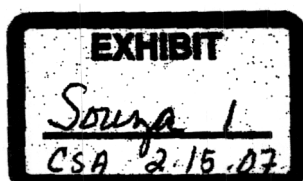


## DECLARATION OF JOSEPH "JOSE" SOUZA

I, Joseph "Jose" Souza, hereby declare the following:

1. I currently reside at 4 Church Street, Tiverton, Rhode Island 02878
2. I grew up at 47A Connell Street in Tiverton, Rhode Island
3. My father, John Souza-DeSoto and my uncle, Manual Desoto, worked for the Fall River Gas Company.
4. My brother, John Souza and I worked for John Simpson, Jr. I worked for Mr. Simpson for approximately four (4) years prior to World War II and for about one (1) year upon returning from the Service after World War II.
5. During the time I worked for John Simpson, Mr. Simpson was operating two to three, two-five ton trucks which were used, among other things, to bring coal gasification waste, ash and coke from Fall River Gas Company to the Bay Street area of Tiverton. Mr. Simpson put sides on the back of the trucks so that they could hold more of the waste from Fall River Gas Company.
6. While employed by Mr. Simpson I worked at the Fall River Gas Company cleaning out parts of the plant referred to as the "Beehives". There were approximately five (5) beehives at the plant. I also collected ash from the "Retour House", which was another part of the main plant.
7. During the time I cleaned out the "Beehives", I was frequently overcome by the fumes and had to go outside for fresh air.
8. One part of my job was to clean out the filters in the "Beehives". These filters were filled with woodchips after the gas went through the woodchips, they would turn blue and have to be replaced. We would clean out the filter waste and transport them by truck to the Bay Street Area of Tiverton. We also got the ash from the Retour house where the coal is gasified and transport that by truck to the Bay Street Area of Tiverton. We would spread both the waste from the Beehives and the Ash on the roads and the swampy areas beside the roads in the Bay Street Area of Tiverton. I would go to the Fall River Gas Company to get ash and waste from the Beehives almost everyday.
9. I was involved in the dumping of materials obtained from the Fall River Gas Company in the Bay Street Area of Tiverton to repair the roads. I would spread the material on the roads and into swampy areas beside the roads. I



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remember putting the Fall River Gas Company waste on the Streets of Bay, Judson, Hooper, Conanicus, Hilton, Chase, Connell, Foote, State and Bottom.

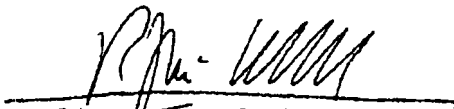
10. We would pile excess waste from Fall River Gas Company on land owned by Mr. Simpson at the corner of State and Bay Streets. People would pick through the pile for coke. They would also take the Fall River Gas wastes to put on their driveways, to fill swampy areas on their property and to level out their property.
11. During the time I worked for John Simpson, Jr. two (2) other people were also involved in transporting waste from the Fall River Gas Company to the Bay Street Area of Tiverton for the same purposes—Jack Bravo and Joseph Ferries.
12. Mr. Bravo had one or two 1-2 ton trucks and Mr. Ferries had one truck.
13. Additionally, the Fall River Gas Company would periodically send its own trucks to the Bay Street Area of Tiverton with coal gasification waste and ash for the same purposes.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
\_\_\_\_\_  
Joseph "Jose" Souza

Date, January 29, 2007

Signed & sworn before me on  
this date 1/29/07

  
\_\_\_\_\_  
Robert J. McConnell  
Notary Public  
my Commission Expires 12/15/09

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